

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re: : Bankruptcy No. 18-20778 GLT
Elleni Berger and : Chapter 13
Randy D. Berger, :
Debtors, : Related Document No. 36 & 46
Elleni Berger and :
Randy D. Berger, : Document No.
Movants, :
v. :
Cenlar, FSB, :
Respondent. :
:

INTERIM MORTGAGE MODIFICATION ORDER

On October 24, 2018, the above named Debtors and Respondent Cenlar, FSB, (“Creditor”) entered into a trial modification (the “Trial Modification”), through the Court’s *Loss Mitigation Program* (LMP), with respect to the first mortgage on the Debtors’ residence. The terms of the Trial Modification require monthly payments in the amount of \$3,181.65 (“Trial Payments”) to begin on **December 1, 2018**, and to continue in that amount until **February 1, 2019**, (the “Trial Modification Period”). In light of the need for an immediate change in the distribution to the Creditor, the Debtors request the Court to enter this *Interim Mortgage Modification Order* until a final, permanent modification can be presented to the Court for approval.

AND NOW, this 28th Day of October , 2018, for the foregoing reasons it is hereby
ORDERED, ADJUDGED and DECREED that:

(1) The Chapter 13 Trustee is authorized and directed to modify the distributions to the above-named Creditor for the Trial Modification Period. Each Trial Payment shall be made in the

Following the Trial Modification Period, the Chapter 13 Trustee shall continue to make distributions in the same amount as the Trial Payments until further Order of Court.

(2) In the event that a Permanent Modification is reached between the Parties, the Debtor **immediately** shall file a *Motion to Authorize the Loan Modification* in compliance with *W.PA.LBR 9020-6(d)*.

(3) The LMP Period is extended until fourteen (14) days after the expiration of the Trial Modification Period. If the Debtor has not filed a *Motion to Authorize the Loan Modification* within fourteen (14) days after the expiration of the Trial Modification Period, then the Debtor shall **immediately** file and serve either a *Motion to Extend the Loss Modification Period* pursuant to *W.PA.LBR 9020-5(b)* or a *Motion to Terminate the Loss Modification Program* pursuant to *W.PA.LBR 9020-5(c)* that sets forth the specific reasons why an agreement was not reached.

(4) Any Party may seek a further hearing regarding the amendment or termination of this *Order* at any time during the Trial Modification Period by filing an appropriate Motion.

(5) Within three (3) days of entry of this *Order*, Debtors shall serve this *Order* electronically on the Chapter 13 Trustee at the following email address: **LMP@chapter13trusteewpa.com** and Debtors shall not be entitled to rely on CM/ECF or United States Mail for service of this *Order* on the Chapter 13 Trustee. The Debtors' Certificate of Service shall reflect service upon the above identified email address.



Honorable Gregory L. Taddonio
UNITED STATES BANKRUPTCY JUDGE

Case administrator to serve:

Debtor(s)
Counsel for Debtor(s)
[Counsel for Creditor]
Ronda J. Winnecour, Esq. Ch 13 Trustee

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
 Ellen Berger
 Randy D. Berger
 Debtors

Case No. 18-20778-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: mgut
 Form ID: pdf900

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Oct 29, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 31, 2018.

db/jdb +Elleni Berger, Randy D. Berger, 150 Millview Drive, Pittsburgh, PA 15238-1626

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 31, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 29, 2018 at the address(es) listed below:

Ann E. Swartz on behalf of Creditor Federal National Mortgage Association (Fannie Mae)
 ecfmail@mwc-law.com, ecfmail@ecf.courtdrive.com
 Anthony T. Kovalchick on behalf of Creditor Dep't of Revenue Office of Attorney General
 akovvalchick@attorneygeneral.gov
 Anthony T. Kovalchick on behalf of Defendant Commonwealth of Pennsylvania Department of Revenue akovvalchick@attorneygeneral.gov
 David Z. Valencik on behalf of Joint Debtor Randy D. Berger dvalencik@c-vlaw.com,
 cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com
 David Z. Valencik on behalf of Debtor Ellen Berger dvalencik@c-vlaw.com,
 cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com
 Donald R. Calaiaro on behalf of Plaintiff Ellen Berger dcalaiaro@c-vlaw.com,
 cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com
 Donald R. Calaiaro on behalf of Plaintiff Randy Berger dcalaiaro@c-vlaw.com,
 cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com
 Donald R. Calaiaro on behalf of Debtor Ellen Berger dcalaiaro@c-vlaw.com,
 cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com
 Donald R. Calaiaro on behalf of Joint Debtor Randy D. Berger dcalaiaro@c-vlaw.com,
 cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com
 James Warmbrodt on behalf of Creditor Cenlar FSB as servicer for Ally Bank
 bkgroup@kmllawgroup.com
 James Warmbrodt on behalf of Creditor Ally Bank bkgroup@kmllawgroup.com
 James A. Prostko on behalf of Creditor Ally Bank pawb@fedphe.com,
 james.prostko@phelanhallinan.com
 Jeffrey R. Hunt on behalf of Creditor Borough of Fox Chapel jhunt@grblaw.com,
 cnoroski@grblaw.com
 Jodi L. Hause on behalf of Defendant PNC Bank jodi.hause@phelanhallinan.com, pawb@fedphe.com
 Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
 DMcKay@bernsteinlaw.com
 Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
 Ronda J. Winnecour cmecc@chapter13trusteeewda.com
 S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
 Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com
 Thomas Song on behalf of Creditor Ally Bank pawb@fedphe.com

TOTAL: 19